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IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

Johnny Darriel Weeks

§ Case No. 06-70295-HDH-13

AND

§ Chapter 13

Patricia Sue Weeks

§

Debtor(s)

§

MOTION FOR DISCHARGE OF DEBTOR(S) UNDER SECTION 1328 (b)

The debtor(s), by his/her attorney, represents and state as follows:

1. That the debtor(s) will be unable to complete the payments required of them under the Chapter 13 plan due to circumstances for which they should not justly be held accountable.
2. Debtor, Johnny Weeks, passed away October 26, 2009. Joint Debtor, Patricia Weeks will no longer have the income to support a plan payment.
3. A modification of the Chapter 13 plan is not possible because the joint debtor, Patricia Weeks cannot afford to make a plan payment since the death of her husband.
4. The value of the property actually distributed under the debtors' Chapter 13 plan on the account of each allowed unsecured claim is greater than the amount that would have been distributed to the holders of such claims had the estates of the debtors been liquidated under Chapter 7 of the Bankruptcy Code.

WHEREFORE, the debtors move this honorable Court to enter an order granting the debtors a discharge under section 1328(b) of the Bankruptcy Code.

Respectfully submitted,

/s/Monte J. White  
Attorney for Debtor(s)

IMPORTANT NOTICE

PURSUANT TO LOCAL BANKRUPTCY RULE 9007, YOU ARE HEREBY NOTIFIED THAT NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT ON OR BEFORE TWENTY(20) DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING WILL BE HELD WITH NOTICE TO (1) THE DEBTOR AND DEBTOR'S ATTORNEY; (2) THE OFFICE OF THE U.S. TRUSTEE; (3) ANY TRUSTEE AND THE TRUSTEE'S ATTORNEY; (4) THE MEMBERS OF ANY OFFICIAL COMMITTEE, OR THE ATTORNEY FOR ANY OFFICIAL COMMITTEE IF AN ATTORNEY HAS BEEN EMPLOYED; OR, IF THERE IS NO COMMITTEE, THE TWENTY (20) LARGEST UNSECURED CREDITORS; (5) ANY PARTY REQUESTING NOTICE; (6) ANY PARTY NAMED ON A COURT-APPROVED ALTERNATIVE SERVICE LIST; (7) THE RESPONDING PARTIES; AND (8) ANY OTHER AFFECTED ENTITY.

IF NO HEARING ON SUCH NOTICE OR MOTION INITIATING A CONTESTED MATTER IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury that he or she has on the date shown below, by ECF and/or first class mail, transmitted a true copy of this document to all parties on the mailing matrix.

Dated: December 17, 2009

/s/Monte J. White

Case 06-70295-hdh13	Doc 25	Filed 12/17/09	Entered 12/17/09 14:31:36	Desc Main
Label Matrix for local noticing	1100 Commerce Street	Capital One		
0539-7	Room 1254	PO Box 30285		
Case 06-70295-hdh13	Dallas, TX 75242-1305	Salt Lake City, UT 84130-0285		
Northern District of Texas				
Wichita Falls				
Tue Dec 15 15:59:46 CST 2009				
Capital One Bank	Citgo Oil-citibank	DISCOVER BANK-DISCOVER FINANCIAL SERVICES		
CO Tsys Debt Management	PO Box 689095	PO BOX 3025		
Po Box 5155	Des Moines, IA 50368-9095	NEW ALBANY OH 43054-3025		
Norcross, GA 30091-5155				
(p)DISCOVER FINANCIAL SERVICES LLC	First Card	IRS Special Procedures		
PO BOX 3025	2500 Westfield Dr Mail Suite 6237	1100 Commerce St., Room 951		
NEW ALBANY OH 43054-3025	Elgin, IL 60124-7836	Mail Stop 5029 DAL		
		Dallas, TX 75242-1001		
JC Penney	LVNV Funding LLC its successors and assigns	PRA Receivables Management LLC		
PO Box 981131	assignee of Citibank	PO Box 41067		
El Paso, TX 79998-1131	Resurgent Capital Services	Norfolk, VA 23541-1067		
	PO Box 10587			
	Greenville, SC 29603-0587			
Portfolio Recovery Associates, LLC	United Revenue Corp-Titanium Em Gr	WICHITA FALLS CITY, ISD & WICHITA COUNTY		
PO Box 41067	204 Billings St Ste 120	CO PERDUE BRANDON FIELDER COLLINS & MOT		
Norfolk VA 23541-1067	Arlington, TX 76010-2495	PO BOX 8188		
		WICHITA FALLS TX 76307-8188		
Wichita County Tax Assessor-Collector	eCAST Settlement Corporation assignee of	Johnny Darriel Weeks		
CO Perdue Brandon & Fielder	GE Money Bank-JC Penney Consumer	4942 South Lake Park Dr.		
PO Box 8188	POB 35480	Wichita Falls, TX 76302-4704		
Wichita Falls, TX 76307-8188	Newark NJ 07193-5480			
Monte J. White	Patricia Sue Weeks	UST U.S. Trustee		
Monte J. White & Associates, P.C.	4942 South Lake Park Dr.	1100 Commerce Street		
1106 Brook Avenue	Wichita Falls, TX 76302-4704	Room 976		
Wichita Falls, TX 76301-5009		Dallas, TX 75242-1011		
Walter 12,13 OCheskey				
6308 Iola Avenue				
Lubbock, TX 79424-2735				

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover Financial Services	End of Label Matrix	
PO Box 8003	Mailable recipients	21
Hillard, OH 43206	Bypassed recipients	0
	Total	21